

THIRTY-FIRST DAY

(Thursday, March 12, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

Absent

Russell

Absent—Excused

Weinert

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, we rejoice that thou hast said, "Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil falsely, for my sake," and that we are not to be fretful of evil doers, for they shall soon be cut down like the grass. Give us grace to say with thee, "Father forgive them for they know not what they do." We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Strauss.

Senate Resolution 138

Senator Rogers of Travis offered the following resolution:

Whereas, Judge Charles Vernon Terrell, first and present President of the Texas Heritage Foundation, formerly of Wise County, Texas, but now of Austin, Texas, has been a distinguished public official for fifty years; fifty-six years ago entered this Senate and served in the 25th, 26th, 31st and 32nd Legislatures; was elected President pro tempore of the 32nd Legislature; is the oldest living ex-Senator and ex-State official; served four years as State Treasurer; fifteen years as Railroad Commissioner, and was twice chairman of the Railroad Commission. In the 25th Senate he introduced and passed the law creating the North Texas Normal at Denton, Texas, now the North Texas State College. While Treasurer, he was the first one to divide a job and give poor students half-time jobs so they could go to college. The plan has spread to every State and to Washington, D. C., and has been the means of educating untold thousands who could not have received an education but for that plan. As Railroad Commissioner, he helped write the law controlling motor transportation and established in Texas the finest and safest system of transportation for trucks and buses of any State in this Union. Judge Terrell helped write and sign the first order ever written by mortal man prorating oil, and may be justly called the "Father of Proration." It has saved from waste untold millions of barrels of oil, and has raised the price from 10c a barrel to \$3.50. It has placed into the permanent fund of A. & M. College of Texas, nearly Two Hundred Fifty Million Dollars from oil and gas; the University of Texas nearly One Hundred Million Dollars; and the Public School Fund over One Hundred Million Dollars. Judge Terrell was the first President of the Texas Heritage Foundation, and is still its honored President; he has served fifty years without one blot on his faithful and distinguished record; without one broken promise; he is an honor to his family; a benediction to all honest men; and an inspiration to the youth of all coming generations; now, therefore, be it

Resolved, By the Senate of Texas, that on the 2nd day of May, 1953,

Judge C. V. Terrell's 92nd birthday, a portrait of him be accepted by the Senate and be unveiled as a gift from many of his dearest friends.

ROGERS of Travis
WAGONSELLER
SADLER
PHILLIPS
AIKIN

The resolution was read and was adopted.

Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 24, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 29, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 30, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 167, have had the same

under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 166, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 134, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 126, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 240, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 222, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 205, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Austin, Texas,
March 12, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 197, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Vice-Chairman.

Senator Martin submitted the following reports:

Austin, Texas,
March 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 21, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Senate Committee Substitute, attached hereto, do pass in lieu thereof and be printed.

MARTIN, Vice-Chairman.

C. S. S. B. No. 21 was read the first time.

Austin, Texas,
March 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 172, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Vice-Chairman.

Austin, Texas,
March 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Vice-Chairman.

Senator Ashley submitted the following report:

Austin, Texas,
March 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 178, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

Bill Signed

The President pro tempore signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

H. B. No. 21. A bill to be entitled "An Act providing that no funds of the State of Texas shall be paid to any person as salary or as other compensation for personal services unless and until such person files the oath or affirmation required by this Act; prescribing the provisions of the oath or affirmation; requiring the Department of Public Safety to obtain and distribute certain information referred to in the oath or affirmation; requiring agencies of this State to make a further distribution of such information; prohibiting the State Board of Education from adopting or purchasing any textbook unless and until the author of such textbook takes the oath or affirmation required by this Act; providing for an oath or affirmation by the publisher of a textbook if the author thereof is dead or cannot be located; containing a severability clause; and declaring an emergency."

Senate Resolution 139

Senator Rogers of Travis offered the following resolution:

Whereas, We are honored today to

have in the gallery 34 fifth grade students of the Govalle Elementary School of Austin, Texas, accompanied by their teacher, Mrs. Cummings; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

Senator Rogers of Travis presented the students and their teacher to the Members of the Senate.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read the first time, and held by the President pro tempore for referral at a later date:

By Senators Aikin, Moffett, Latimer, and Bracewell:

S. B. No. 245, A bill to be entitled "An Act amending Sections 3 and 4 of Article IV, House Bill No. 426, Acts 52nd Legislature, 1951, providing the eligibility standards for apportionment of the Public Junior College appropriation; and declaring an emergency."

By Senator Bell:

S. B. No. 246, A bill to be entitled "An Act amending Section 8 of Article XVII, Chapter 184 of the Acts 47th Legislature, Regular Session, codified as Article 7065b-8, Vernon's Annotated Civil Statutes, and Subsection (g) of Section 14, Article XVII, Chapter 184 of the Acts 47th Legislature, Regular Session, as amended by subsection 5(g) of Section XXII, Chapter 402 of the Acts 51st Legislature, Regular Session, codified as Article 7065b-14(g), by adding to each section a paragraph providing that the lien shall not be valid as against any mortgagee of a motor vehicle provided such mortgagee is without notice and has complied with the provisions of the Certificate of Title Act prior to the filing by the Comptroller with the State Highway Department a certificate which shows that a tax lien exists upon such vehicle, etc.; and declaring an emergency."

By Senators Bell, Willis and Corbin:

S. B. No. 247, A bill to be entitled "An Act amending H. B. No. 17, Acts of the 46th Legislature, Regular Session, 1939, as amended by Senate Bill No. 28, Acts of the 51st Legislature, Regular Session, 1949, Chapter 149, providing for the licensing and regulation of dealers in real estate; prohibiting the unlawful practice of law; defining terms; providing penalties for violation of this Act; providing a savings clause; and declaring an emergency."

By Senator Rogers of Childress:

S. B. No. 248, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to lease at public auction for oil, gas, sulphur, mineral ore, and other mineral development all lands used as experimental stations and all other lands under its exclusive control; providing for the "Agricultural and Mechanical College of Texas Special Mineral Fund" and the manner it is to be administered; provided for the permanent fund and the expenditure of the income from same, etc.; and declaring an emergency."

By Senator Latimer:

S. B. No. 249, A bill to be entitled "An Act providing for automobile allowance to be paid the sheriffs and their deputies in counties having a population of Four Hundred Thousand (400,000) inhabitants, or more, where the county does not furnish automobiles; repealing all laws in conflict; and declaring an emergency."

By Senator Rutherford:

S. B. No. 250, A bill to be entitled "An Act validating certain orders entered by County Judges which declare the inhabitants of certain cities, towns or villages incorporated and which set forth the boundaries thereof and the Mayor and Aldermen of such cities, towns or villages; validating the corporate existence of such cities, towns or villages; providing that the officials named in any such order shall constitute the officials of such city, town or village; enacting other provisions relating to the subject; and declaring an emergency."

By Senator Shireman:

S. B. No. 251, A bill to be entitled "An Act prohibiting any person from

walking upon, along, or across, or from driving or riding upon any bicycle or animal-drawn or motor-driven vehicle upon, along, or across any railroad track, team track, bridge, viaduct or trestle, with certain exceptions; and prohibiting any person from entering upon private premises or property owned by a railroad or used for the carrying on of railroad operations, including rolling stock, switching yards, shops, locomotives and car repair yards, store yards, and freight yards; and prohibiting any person from tampering with or damaging or destroying any railroad track or appurtenances of any bridge, viaduct, trestle or culvert structure supporting a railroad track or any signal system, telegraph line, telephone line, power line or signal system maintained as a railroad facility; providing that the provisions prohibiting the walking, driving or entering upon railroad tracks, team tracks, bridges, viaducts, trestles, structures and premises do not apply to employees of railroads or other persons whose proper and lawful duties make it necessary for them to go upon such tracks, structures or premises in order to perform their duties; providing penalties for violation of this Act; providing a saving clause; and declaring an emergency."

By Senator Sadler:

S. B. No. 252, A bill to be entitled "An Act providing that 'municipality' as used herein means any county; school district; incorporated district, city, town, or village; or other incorporated political subdivision of this state; authorizing any municipality, after notice and competitive bidding, to execute, under certain restrictions, oil, gas and mineral leases upon lands or minerals, or any interest therein, owned or claimed by such municipality and providing the method for advertising for bids; authorizing any municipality to commit any royalty or other mineral interest owned by it in such minerals, or any one or more of them, to agreements providing for the operation of areas as a unit for the exploration, development, and production of such minerals or any one or more of them; prescribing certain terms and provisions which among others may be included by the governing body of the municipality in such leases and unit agreements; defining 'governing body' as used in the Act; prescribing the manner in which

such leases and agreements shall be made and executed; repealing Chapter 279, Acts of the 45th Legislature, Regular Session, 1937, and all other laws and parts of laws in conflict with the Act; providing a savings and severability clause; and declaring an emergency."

By Senator Sadler:

S. B. No. 253, A bill to be entitled "An Act to amend Subsection R of Section 1 of H. B. No. 168, Chapter 352, Acts of the Fiftieth Legislature, Regular Session, 1947, as amended by Chapter 197, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by Senate Bill No. 344, Chapter 152, Acts of the Regular Session of the Fifty-second Legislature, codified as Article 6228a, of Title 109, Section 1R, of Vernon's Annotated Civil Statutes of Texas; and also to amend Subsection 2 of Subsection B of Section 5 of House Bill No. 168, Chapter 352, Acts of the Fiftieth Legislature, Regular Session, 1947, as amended by Chapter 197, Acts of the Fifty-first Legislature, Regular Session, as amended by Senate Bill No. 344, Chapter 152, Acts of the Regular Session of the Fifty-second Legislature, codified as Article 6228a, of Title 109, Section 5, Subsection B, Section 2, Vernon's Annotated Civil Statutes of Texas, changing the annuity service payment from three (3%) per cent to four (4%) per cent; and declaring an emergency."

By Senator Rogers of Travis:

S. B. No. 254, A bill to be entitled "An Act to amend Article 792 of the Penal Code of the State of Texas, 1925, relative to violation of promise to appear by persons arrested for speeding by extending the time for notices to appear in court and by providing that notices to appear need not be given to persons operating vehicles not registered in Texas nor to non-residents; and declaring an emergency."

By Senator Rogers of Travis:

S. B. No. 255, A bill to be entitled "An Act to amend Article 6823, of Title 117, and all amendments thereto, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

By Senator Rogers of Travis:

S. B. No. 256, A bill to be entitled "An Act making it unlawful to shoot, fire or discharge any firearm from

any boat, sail craft, float, or raft upon Lake Travis; providing a penalty; providing for enforcement; and declaring an emergency."

By Senator Hazlewood:

S. B. No. 257, A bill to be entitled "An Act validating Amarillo Center of West Texas State College as an integral part of said college; providing said center shall not share in College Building Amendment funds; and declaring an emergency."

By Senator Hazlewood:

S. B. No. 258, A bill to be entitled "An Act amending and revising the Election Code of the State of Texas; repealing portions thereof; providing an effective date for this Act; providing a savings clause; and declaring an emergency."

By Senator Hazlewood:

S. B. No. 259, A bill to be entitled "An Act authorizing various county commissioners courts to declare drought emergency, to provide programs for increased precipitation to meet such emergencies, to appropriate from the county funds and to levy taxes for the support of such programs; and declaring an emergency."

By Senator Hazlewood:

S. B. No. 260, A bill to be entitled "An Act amending Section 2 of Article II, Sections 4 and 5 of Article III, and Section 17 of Article IV, Article 6701h, Revised Civil Statutes of Texas; and declaring an emergency."

By Senator Secrest:

S. B. No. 261, A bill to be entitled "An Act providing for the establishment and operation in the Department of the Attorney General of a Division of Charitable Trusts for the supervision and enforcement of charitable trusts within the State; defining the term 'charitable trust'; providing that the Attorney General shall be a necessary party to and shall be served with citation in all judicial proceedings affecting charitable trusts within the State, etc; and declaring an emergency."

By Senators Secrest, Willis, Sadler, Corbin and Bracewell:

S. B. No. 262, A bill to be entitled "An Act to amend Article 667, Section 24 (1) (h) of the Penal Code of the State of Texas, 1925, by adding tele-

vision broadcasts thereto and authorizing the Texas Liquor Control Board to regulate or restrict advertising of beer by any media, which the Board finds to be indecent, obscene or offensive to the public; and declaring an emergency."

By Senator Strauss:

S. B. No. 263, A bill to be entitled "An Act amending Subsections (a) and (b) of Section 5, and Sections 6, 9, and 11 of Article III and Section 30 of Article V of Chapter 88, Page 1210, of the Acts of the 52nd Legislature, 1951, being known also as Subsections (a) and (b) of Section 5, to provide for suspension of driver's licenses, registrations etc.; and declaring an emergency."

By Senator Bracewell:

S. B. No. 264, A bill to be entitled "An Act authorizing the Texas Prison Board to purchase for the use and benefit of the Texas Prison System any or all of sixteen small tracts of land, or only the surface rights thereto, containing approximately 1710 acres situated in Brazoria County, Texas, and located either wholly within the outer boundary of the Ramsey State Prison Farm or have one more common boundary lines therewith; making an appropriation of \$150,000 for such purposes out of the Prison Board Special Mineral Lease Fund in the State Treasury; and declaring an emergency."

By Senator Bracewell:

S. B. No. 265, A bill to be entitled "An Act making an appropriation of \$547,755 to the Board of Regents of The University of Texas for the biennium ending August 31, 1955, to be used for the purpose of equipping, furnishing, and completing the construction of buildings and other permanent improvements at the M. D. Anderson Hospital for Cancer Research at Houston; and declaring an emergency."

By Senator Bracewell:

S. B. No. 266, A bill to be entitled "An Act making an appropriation of \$1,197,500 to the Board of Regents of The University of Texas for the biennium ending August 31, 1955, to be used for the purpose of constructing, equipping and furnishing buildings and other permanent improvements at the Dental College of The University of Texas at Houston; and declaring an emergency."

By Senator McDonald:

S. B. No. 267, A bill to be entitled "An Act amending Section 1 of House Bill 781, Chapter 503, Acts of the 52nd Legislature, Regular Session, 1951, codified as Section 1 of Article 3936i of Vernon's Civil Statutes, authorizing Commissioners Courts to increase compensation of Justices of the Peace in certain precincts, etc.; and declaring an emergency."

By Senator McDonald:

S. B. No. 268, A bill to be entitled "An Act to require any insurance organization doing business in Texas to pay to any Local Recording Agent of Texas who issues or signs any policy of insurance originated by a non-resident on property or persons in this State a sum not less than the amount of commission or brokerage required to be paid, by the laws or regulations of the state of such non-resident, to such nonresident for issuing or signing any policy of insurance covering property or persons located in the state of such nonresident when such policy of insurance is originated by a Local Recording Agent of this State, and declaring an emergency."

By Senator McDonald:

S. B. No. 269, A bill to be entitled "An Act to authorize the propagation of quail for commercial food purposes; to require licensing of such business by the Texas Game and Fish Commission; requiring Commercial Breeder's Licenses by the Texas Game and Fish Commission; to require the numbering of each Commercial Quail Breeder's License; to require each holder of a Commercial Quail Breeder's License to keep and maintain a rubber stamp for marking the carcass of each quail sold; to require killing of such quail only by means other than shooting; to allow hotels, restaurants, boarding houses and clubs to sell such quail for consumption on their premises; providing penalty for violation of the provisions of this law; repealing all laws in conflict herewith; and declaring an emergency."

By Senator Kazen:

S. B. No. 270, A bill to be entitled "An Act creating a new judicial district and court therefor to be known as the 131st Judicial District and the District Court of the 131st Judicial District; conforming the jurisdiction of the 28th, 79th, and 105th Judicial

District Courts thereto; redefining their territory, jurisdiction and terms, conforming same with each other and with those of existing courts, fixing the terms of court and providing for sessions; providing for the appointment of a judge in the newly created court, and the designation of a seal therefor; providing for certain district attorneys and county attorneys to represent the State in certain courts; conforming and validating writs, processes, bonds and recognizances and providing for the transfer of cases; providing for Petit and Grand Juries; providing for the appointment of and continuance of certain court reporters and fixing their compensation; providing for sheriffs and district clerks to serve certain district courts; providing a savings clause; repealing all conflicting laws and making this Act cumulative of all laws not conflicting; and declaring an emergency."

By Senators Lock, McDonald and Lane:

S. B. No. 271, A bill to be entitled "An Act permitting the closing of a hunting season in any county or counties where a fire hazard is found to exist; prescribing a manner to determine such a condition; repealing laws to extent of conflict; and declaring an emergency."

By Senator Lock:

S. B. No. 272, A bill to be entitled "An Act amending Article 1379, Penal Code of Texas, 1925, as amended, by Senate Bill No. 34, General Laws of the 46th Legislature, Regular Session, 1939, page 241, defining certain offenses relating to the cutting, destruction, or carrying away of merchantable timber and prescribing the penalty therefor; and declaring an emergency."

By Senator Willis:

S. B. No. 273, A bill to be entitled "An Act providing for the assessment and collection of a fee or tax in divorce cases filed in counties having four (4) or more District Courts sitting as a Juvenile Board; providing that such monies collected shall be placed in a separate fund and administered by the Juvenile Boards of such counties for the purpose of maintaining a Child Support Office, providing that this Act shall not affect any other law now in effect with respect to any other county, and declaring an emergency."

By Senator Willis:

S. B. No. 274, A bill to be entitled "An Act amending House Bill No. 77, Chapter 467, Acts of the Forty-fourth Legislature, Second Called Session, 1935, as amended, being the Texas Liquor Control Act and being the Act Codified as Articles 666 and 667, Vernon's Penal Code, by adding Section 3-b to Article I of said Act, providing that eggnog, ice cream or other dairy product containing more than one-half of one per cent ($\frac{1}{2}$ of 1%) of alcohol by volume is within the definition of 'Alcoholic Beverage' as within the Act; and declaring an emergency."

By Senator Wagonseller:

S. B. No. 275, A bill to be entitled "An Act amending Section 1 of Article 21.07 of Chapter 491, Acts 1951, 52nd Legislature, such Chapter being known as the Insurance Code of the State of Texas, to include casualty insurance companies, etc.; and declaring an emergency."

By Senator Rogers of Travis:

S. B. No. 276, A bill to be entitled "An Act to amend Section 6, Chapter 42, General Laws, Second Called Session, 41st Legislature, 1929, as amended by Section 4, Chapter 71, 47th Legislature, 1941, as amended by Section 1, Chapter 116, 52nd Legislature, to provide that owners and operators of commercial vehicles apprehended when carrying a greater gross load than that for which said vehicles are licensed shall raise the registration of the vehicles at the nearest available County Tax Assessor-Collector's Office to an amount equal to the gross weight of the vehicles at the time of apprehension; providing such total registration shall not exceed the legal gross weight allowed for such vehicle; providing that the additional registration shall be retroactive to date of purchase of current license; providing that said vehicles may be detained until the provisions of this Act are complied with; providing a saving clause; and repealing all laws in conflict herewith."

By Senator Bell:

S. B. No. 277, A bill to be entitled "An Act to provide enabling legislation for proposed subsection (d) of Section 59, Article XVI of the Constitution of the State of Texas, to be submitted at an election in 1953, for aiding in the conservation, adminis-

tration and distribution of beneficial uses of water resources of the State; enacting other provisions relating to the subject; providing fees for the use of waters of the State of Texas; providing for the deposit of such funds; defining a 'feasible project'; providing that the State under certain conditions may guarantee not to exceed one-third of the principal and interest becoming due in any one year on bonds issued on a 'feasible project'; providing for the administration of such fund; and declaring an emergency."

By Senators Bell and Strauss:

S. B. No. 278, A bill to be entitled "An Act creating the Texas Revolution Memorial Commission who shall cooperate with the Commissioner of the General Land Office and with interest groups in finding the graves of Texas Veterans of the Revolution and erecting appropriate memorials; providing for the appointment, duties and terms of its members; providing for the promulgation of policies by the Commission; providing an appropriation to carry out the provisions of this Act; providing purchases by the Board of Control; and declaring an emergency."

By Senator Wagonseller:

S. B. No. 279, A bill to be entitled "An Act authorizing school districts participating in the Foundation School Program to purchase, sell and trade directly upon the open market motor vehicles, tires and tubes, used for transporting school children, when requisitions are approved by designated school officials; repealing all conflicting laws and parts of laws to the extent of the conflict; and declaring an emergency."

By Senator Lane:

S. B. No. 280, A bill to be entitled "An Act to amend Title 32, Chapter 11 of the Revised Civil Statutes of the State of Texas, 1925, by adding a new article to be designated as Article 1465-1 pertaining to toll road corporations which provide in their articles of incorporation, by-laws or otherwise, that none of the net income or profits, whether realized or unrealized, shall ever issue to the benefit of or be distributed to any private shareholder or any other private person, association or corporation whatsoever, and providing for the conveyance of all assets of such toll road

corporations to the State of Texas or the county or counties in which such toll road is situated after payment of all indebtedness for the acquisition, construction, maintenance and operation of such toll road; constituting securities issued by such corporation as negotiable instruments regulated by the Negotiable Instruments Law of this State, constituting investments in bonds and notes of such toll road corporations as proper and legal investments for those authorized to invest in bonds and other obligations of the State; authorizing and empowering the State of Texas to receive and accept such toll roads without compensation therefor, provided that such toll roads will then be in good condition and repair to the satisfaction of the State Highway Commission; and declaring an emergency."

By Senator Lane:

S. B. No. 281, A bill to be entitled "An Act to amend Article 7094 of the Revised Civil Statutes of Texas, 1925, pertaining to exemption from State of Texas corporation franchise tax; and declaring an emergency."

By Senator Willis:

S. B. No. 282, A bill to be entitled "An Act authorizing and directing the Railroad Commission of the State of Texas to promulgate and adopt rules and regulations, to issue and enforce orders relating to sanitation, health and adequate shelter of railroad employees; to appoint an advisory committee composed of employers and employees on Texas railroads, prescribing the function of such committee, providing a penalty for the violation thereof; and declaring an emergency."

By Senator Kazen:

S. B. No. 283, A bill to be entitled "An Act concerning employment of children and hours thereof, and regulating employment of children during the school term, providing for issuance of a work permit by the County Superintendent of Public Instruction or the County Judge, providing for inspection by the Commissioner of Labor Statistics and the County Superintendent of Public Instruction or the County Judge, providing for penalties for violations of this Act, and repealing Articles 1573, 1576, 1577, 1578 and 1578a of the Penal Code, 1925, as amended, and

repealing Article 5181, Revised Civil Statutes, as amended; and declaring an emergency."

By Senator Martin:

S. J. R. No. 13, Proposing an amendment to Article 3, Section 49-a of the Constitution of the State of Texas so as to provide for the State Auditor to certify the appropriation bills; providing for the necessary proclamation and election.

Senate Resolution 140

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have Mr. and Mrs. E. W. McPherson, Superintendent of Schools at Nocona, Texas, Coach Walker, and the Regional Champions of District 10, 2A, and other visitors from Nocona;

Whereas, These girls of the Nocona High School basketball team are here to compete in the State meet being held in the Capital City; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the girls' Basketball Team from Nocona, Texas, their Coach, their Superintendent and wife, and other visitors from Nocona be officially welcomed and wished the best of luck in their contest.

The resolution was read and was adopted.

Senator Wagonseller presented the team and their sponsors to the Members of the Senate.

(Senator Moffett in the Chair.)

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 120, A bill to be entitled "An Act amending Article 6967, Revised Civil Statutes of Texas, 1925, so as to change the fees that may be charged for impounding stock and declaring an emergency."

The House has failed to pass to engrossment H. B. No. 19.

The House has failed to pass to engrossment H. B. No. 207.

H. B. No. 241, A bill to be entitled "An Act providing for the leasing for the exploration and development of river beds and channels belonging to the State, and all islands, beds of salt water lakes and inlets, marshes and reefs, owned by the State within tidewater limits, and that portion of bed of the Gulf of Mexico within the jurisdiction of Texas, for salt, sulphur, and any other mineral except petroleum oil and natural gas, gold, silver, platinum, cinnabar, and other metals; providing each mineral shall be granted under a separate lease and for a separate consideration; vesting jurisdiction in the School Land Board, and authorizing such Board to advertise for proposals to lease such minerals, outlining the plan for receiving bids; vesting in the Board authority to reject bids and readvertise, prescribing the content of application for lease with the time and manner of filing, providing that leases be executed on forms approved by the Attorney General and School Land Board, fixing safeguards to prevent pollution of streams and other public bodies of water and avoiding interference with navigation; providing for the deposit of moneys received to the credit of the permanent school fund, fixing the royalty on salt, sulphur or any other mineral produced under the terms of this Act at one-eighth of the value thereof; fixing the venue of any suit arising out of this Act in Travis County; providing that no injunction shall be granted against the School Land Board or its agents except after notice and hearing; providing that either party to a suit shall have the right of appeal, and that such appeal shall have precedence in the Appellate Courts; granting the right of eminent domain to secure additional lands and rights of way; providing that the mineral rights, in the event of condemnation, shall be superior to surface rights; vesting in the School Land Board authority to fix the cash bonus, annual rental, and royalty, at or above defined minimum; providing that if any section, clause or provision of this Act be held unconstitutional, the remainder shall stand; and declaring an emergency."

H. J. R. No. 10, Proposing amendment to the Constitution of the State of Texas by amending Section 1 of Article VI so as to confer the right to vote upon members of the regular establishment of the United States Army, Navy, Marine Corps, or Air

Force, or component branches thereof, provided such person shall meet the residence requirements for voting as prescribed in Section 2 of Article VI of the Constitution of Texas and that such person shall have established his legal residence in Texas prior to entry into the regular armed forces of the United States, and has paid his poll tax or secured his exemption certificate; providing further that this constitutional provision shall be construed as repealing all constitutional provisions in conflict herewith; providing further that this amendment shall not be construed as repealing that portion of Section 2a of Article VI of the Constitution of Texas relative to certain members of the Armed Forces reserve of the United States and component branches thereof voting without poll taxes and exemption certificates; providing for submission of the proposed amendment to the qualified electors; providing for proclamation and publication by the Governor.

H. C. R. No. 42, Relative to article in "Esquire" magazine on the subject of Texas.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 141

Senator Wagonseller offered the following resolution for Senator Russell:

Whereas, We are honored to have with us today the Girls' Basketball Team from the Emory High School, Rains County; and

Whereas, These girls are here to compete in the State Meet being held in the Capital City; now, therefore, be it

Resolved, By the Senate of Texas, that the Girls' Basketball Team from Emory and Coach Sol Everetts be officially welcomed and wished the best of luck in their contest.

The resolution was read and was adopted.

Senator Wagonseller presented the Basketball Team and the Coach to the Members of the Senate.

Senate Resolution 142

Senator Sadler offered the following resolution:

Whereas, We are honored today to have visiting the City of Austin and in the Capitol, the Reverend Hoyt Bowles, prominent Minister of the

Presbyterian Church of Denton, Texas, accompanied by the International Student Team composed of Miss Claudia Mubayyed, of Lebanon, Syria; Miss Yashi Takahashi, of Japan; Mr. Procesa Udarbe, of the Philippine Islands and Mr. W. S. Theophilus, of India; and

Whereas, These International Students are engaged in missionary efforts and have dedicated their lives to help bring peace and understanding to the peoples of the world; and

Whereas, It is the desire of the Senate of the State of Texas to recognize and pay tribute to these outstanding visitors; now, therefore, be it

Resolved, That they be extended the courtesies of the floor for the day, and that members of the party be furnished a copy of this resolution.

SADLER
WAGONSELLER

The resolution was read and was adopted.

Senator Sadler presented the Reverend Hoyt Bowles, and Reverend Bowles presented the students to the Members of the Senate.

Co-Authors of Senate Bill 262

Senators Willis, Sadler and Corbin asked unanimous consent to be shown as co-authors of S. B. No. 262.

There was no objection offered.

Senate Concurrent Resolution 27

Senator Kelley offered the following resolution:

S. C. R. No. 27, Honoring and commending Dr. Carlos E. Castaneda for the honor he has brought to Texas.

Whereas, Dr. Carlos E. Castaneda, a professor of great distinction at the University of Texas, has brought honor to the State of Texas, to the University of Texas, and to himself, and

Whereas, Dr. Castaneda was born at Camargo, Mexico, November 11, 1896, came to the United States in 1908; graduated from the Brownsville, Texas, High School in 1916 as valedictorian of his class; and

Whereas, Under extreme hardship and difficulty he persisted toward an outstanding academic career and took the following degrees: B.A., University of Texas, 1921; M.A., University of Texas, 1923; Ph. D., Univer-

sity of Texas, 1932; Doctor of Laws, honoris causa, St. Edward's University, 1941; Doctor of Laws, honoris causa, The Catholic University of America, 1951; and

Whereas, Dr. Carlos Castaneda has further studied at the University of Havana and at the University of Mexico and has taught at the University of New Mexico, the University of Mexico, Our Lady of the Lake College, College of William and Mary, The Catholic University of America, and at the University of Texas where he has been Professor of Latin-American History since 1946; and

Whereas, Dr. Castaneda has been honored on many occasions by numerous organizations and scholarship societies for his outstanding contributions in the field of higher education and for his distinctive scholarship; and

Whereas, Dr. Castaneda has been the author of many scholarly books and has contributed many articles to the major scholastic publications in his field; and

Whereas, Dr. Castaneda is a loyal and patriotic citizen of the country of his adoption and has been a great influence in the promotion of good will between the United States and the Latin-American countries; and

Whereas, His many students respect and love him for his kind and understanding guidance, and he has been a wholesome influence in the lives of many people; and

Whereas, Pope Pius XII has honored him and made him Knight of the Equestrian Order of the Holy Sepulchre of Jerusalem in October of 1941; and

Whereas, In one citation of honor to Dr. Castaneda the writer sums up the many contributions of this distinguished scholar and is worthy of quotation:

"Our Lady of the Lake College cites Carlos Eduardo Castaneda, native of Mexico, since 1935 a citizen of the United States, who through his historical, educational, and cultural activities, has promoted better relations between the country of his birth and the country of his adoption; a vigorous and able champion of the rights of the Spanish-named of the Southwest and of the right to democratic life for all people; Regional Director of the Fair Employment Practice Committee; distinguished historian and educator; author of The Mexican Side of

the Texan Revolution; Our Catholic Heritage in Texas; The Missions at Work; The End of the Spanish Regime in Texas and other volumes of early Texas History; Librarian of the Latin-American Library of the University of Texas; Professor of History at the same University; Knight of the Holy Sepulchre, member and fellow of historical societies both of the United States and the other Americas; one whose achievements — academic, civic, and religious—merit emulation by all who would serve their God and their State.”

and

Whereas, it is the desire of the Senate of the State of Texas to recognize and pay tribute to this fine gentleman and distinguished scholar for his many achievements and contributions in the field of higher education and for his outstanding abilities and tireless efforts in Pan-American friendship and for the honor that he has brought to the State of Texas and the University of Texas; now, therefore, be it

Resolved, That we do here and now pay our respects to this distinguished scholar, and, be it

Resolved, That a copy of this resolution be sent to the Chancellor of the University of Texas, to the President of the University of Texas, and to each member of the Board of Regents of the University of Texas, and that a copy be sent to Dr. Carlos E. Castaneda and to each member of his immediate family.

KELLEY
RUTHERFORD
LATIMER
KAZEN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Lane, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Childress, Rogers of Travis, Russell, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Hardeman, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

On motion of Senator Kelley and by unanimous consent, the resolution

was considered immediately and was adopted.

(President Pro Tempore in Chair.)

Senate Resolution 143

Senator Bell offered the following resolution:

Whereas, We are honored today to have in the City of Austin, the Honorable Morris Roberts of Victoria, Texas, former Senator from the 18th Senatorial District; now, therefore, be it

Resolved, That we officially recognize and welcome this outstanding citizen, and grant him the privilege of the floor for today.

The resolution was read and was adopted.

Report of Standing Committee

By unanimous consent, Senator Moore submitted the following report:

Austin, Texas,
March 4, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 275, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman

House Bill 275 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, H. B. No. 275 was ordered not printed.

Senate Concurrent Resolution 28

Senator Moore offered the following resolution:

S. C. R. No. 28, Relating to Chancellor at Agricultural and Mechanical College.

Whereas, The Board of Directors of the Agricultural and Mechanical College has employed a Chancellor in connection with the operation of such college at a time when the enrollment is less than for many years and there is no apparent need for such an official; and

Whereas, In these days of high taxes, every effort should be made to free the taxpayers of all unnecessary

governmental expenses; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that the Board of Directors of the Agricultural and Mechanical College be instructed to terminate the services of the Chancellor presently employed and abolish the office of Chancellor at such institution.

The resolution was read.

Senator Moore asked unanimous consent to consider the resolution at this time.

There was objection.

The resolution will be referred to a committee at a later date.

House Bill 275 on Second Reading

Senator Parkhouse moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 275 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	

Absent

Hazlewood	Wagon seller
Russell	Willis

Absent—Excused

Weinert

The President pro tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 275, A bill to be entitled "An Act to amend Sec. 16, Article 8308, Revised Civil Statutes of 1925, repealing all laws or parts of laws in conflict, providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 275 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 275 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Willis
Martin	

Nays—2

Russell	Rutherford
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Absent

Hazlewood	Wagon seller
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Absent—Excused

Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Willis
Martin	

Nays—2

Russell	Rutherford
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Absent

Hazlewood Wagon seller

Absent—Excused

Weinert

Senate Resolution 144

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery Hon. Howard M. Fender, District Attorney of Tarrant County; and

Whereas, He is an outstanding graduate of the U. S. Military Academy at West Point and compiled an enviable war record in World War II; now, therefore, be it

Resolved, That we officially welcome Mr. Fender, and that he be extended the privileges of the floor for today.

The resolution was read and was adopted.

Senator Willis presented the Honorable Howard Fender to the Members of the Senate.

Message From the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
March 11, 1953.

To the Senate of the Fifty-third Legislature:

Please consider this my request to withdraw my message to the Senate dated March 9, 1953 and substitute the attached message.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
March 11, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Judge of the 134th Judicial District Court to fill the unexpired term of Honorable W. M. Taylor, Jr., resigned, effective April 1, 1953: Charles E. Long, Jr., of Dallas, Dallas County;

To be Branch Pilots for the Port of

Houston on the Houston Ship Channel and Galveston Bar for two-year terms to expire March 9, 1955: Henry Corry of Harris County, W. E. Dunlap of Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House today were read the first time and held by the President pro tempore for referral to committees at a later date:

H. B. No. 241, H. B. No. 120, H. J. R. No. 10, H. C. R. No. 42.

Adjournment

On motion of Senator Hardeman the Senate at 11:43 o'clock a. m. adjourned until 10:30 o'clock a. m. on Monday, March 16, 1953.

Record of Vote

Senator Phillips and Willis asked to be recorded as voting "nay" on the motion to adjourn.

THIRTY-SECOND DAY

(Monday, March 16, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Wagon seller
Martin	Willis

Absent—Excused

Strauss Weinert

A quorum was announced present.

The Invocation was offered by the